

Preliminary Amendment filed June 16, 2005
U.S. Patent Application Serial No. 10/026,823

REMARKS:

Claims 1-6 and 10-19 are currently being considered, of which claims 1, 12, 16-19 have been amended. Claims 7 and 9 have been canceled without prejudice or disclaimer of their subject matter. No new claims have been added and no new matter has been introduced. Amendments herein are supported by the original disclosure. See, for example, the last paragraph of page 13 through to the first paragraph of page 15 of the specification.

Claims 1-7 and 9-19 stand rejected under 35 USC 102(e) as anticipated by USP 6,507,824 (Yon et al.).

Applicants respectfully traverse this rejection.

Yon fails to describe, teach, or suggest the following features of claim 1, as amended:

“a customer database which stores user information, comprising user ID for specifying users of the color-designating server, and use information including requirements relating to items to be colored predetermined in correlation with user ID; and wherein, when the user has been identified, the conditions-designating processing unit transmits the conditions-designating screen, specifying the requirements and the types of resin and dye or pigment, which are stored in the customer database in correlation with an identified user and were obtained by consulting the customer database, to the user terminal, and the conditions-designating server further comprises a use data receiving unit

Preliminary Amendment filed June 16, 2005
U.S. Patent Application Serial No. 10/026,823

which receives, from the user terminal, requirements selected by the user from the requirements specified in the conditions-designating screen”, in combination with the other claimed features.

Yon fails to describe, teach, or suggest the following features of claim 12, as amended:

“a customer database which stores user information, comprising user ID for specifying users of the color-designating server, and use information including requirements relating to items to be colored predetermined in correlation with the user ID; and wherein, when the user has been identified, the conditions-designating processing unit transmits the conditions-designating screen, specifying the requirements and the types of resin and dye or pigment, which are stored in the customer database in correlation with an identified user and were obtained by consulting the customer database, to the user terminal, and the conditions-designating server further comprises a use data receiving unit which receives, from the user terminal, requirements selected by the user from the requirements specified in the conditions-designated screen”, in combination with the other claimed features.

Yon fails to describe, teach, or suggest the following features of claim 16, as amended:

“specifying users of the color-designated server by accessing a customer database which stores user information, comprising user ID for specifying users of the color-designating server, and use information including requirements relating to items to be colored, predetermined in correlation with the user ID, when the user has been identified, transmitting a conditions-designating screen for designating conditions data, required for determining matchable colors, to the user terminal, the

**Preliminary Amendment filed June 16, 2005
U.S. Patent Application Serial No. 10/026,823**

conditioner-designating screen specifying the requirements and the types of resin and dye or pigment which are stored in the customer data base in correlation with an identified user and were obtained by consulting the customer database”, in combination with the other claimed features.

Yon fails to describe, teach, or suggest the following features of claim 18, as amended:

“specifying users of the color-designating server by accessing a customer database which stores user information, comprising user ID for specifying users of the color-designating server, and use information including requirements relating to items to be colored, predetermined in correlation with the user ID, when the user has been identified, transmitting by the color-designating server a conditions-designating screen for designating conditions data, required for determining matchable colors, to the user terminal, the conditions-designating screen specifying the requirements and the types of resin and dye or pigment which are stored in the customer data base in correlation with an identified user and were obtained by consulting the customer database”, in combination with the other claimed features.

Yon fails to describe, teach, or suggest the following features of claim 19, as amended:

“specifying users of the color-designating server by accessing a customer database which stores user information, comprising user ID for specifying users of the color-designating server, and use information including requirements relating to items to be colored, predetermined in correlation with the user ID, when the user has been identified, transmitting a conditions-designating screen for

Preliminary Amendment filed June 16, 2005
U.S. Patent Application Serial No. 10/026,823

designating conditions data, required for determining matchable colors, to the user terminal, the conditions-designating screen specifying the requirements and the types of resin and dye or pigment which are stored in the customer data base in correlation with an identified user and were obtained by consulting the customer database”, in combination with the other claimed features.

Thus, in view of the foregoing, Applicants respectfully submit that this rejection should be withdrawn.

In view of the aforementioned amendments and accompanying remarks, all claims currently being considered are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

Preliminary Amendment filed June 16, 2005
U.S. Patent Application Serial No. 10/026,823

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,
ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP



Darren R. Crew
Attorney for Applicants
Reg. No. 37,806

DRC/llf
Atty. Docket No. **011767**
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



23850

PATENT TRADEMARK OFFICE

Q:\FLOATERS\DRC\01\011767\011767 RCE Preliminary Amdt to be filed 06-16-05 v.4